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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/483,315	01/14/2000	Ann Devereaux	9373-1F888US1	8215

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EXAMINER
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VU, THONG H

ART UNIT	PAPER NUMBER
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2142

DATE MAILED: 04/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/483,315

Applicant(s)

DEVEREAUX ET AL.

Examiner

Thong H. Vu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 18 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 76 and 78-96 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 76 and 78-96 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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1. Claims 76,78-96 are pending. Claim 77 is canceled.
2. New claim 96 invokes the 112 sixth paragraph. Correct is required.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 76,78-96 are rejected under 35 U.S.C. § 103 as obvious over Gernert et al [Gernert 6,600,734 B1] in view of Knuutila et al [Knuutila 6,810,035 B1].

4. As per claim 76, Gernertt discloses a mobile access unit for use in a localized communications system [Gernert, a number of remote mobile units, col 6 lines 38-53] comprising:

a video input configured to receive real-time video information, video output configured to provide real-time video information [Gernert, video cameras, col 7 lines 14-24];

a transceiver [Gernert, transceiver, col 7 lines 25-58; col 11 lines 12-42], comprising:

a transmitter connected to the codec that is configured to transmit a data stream provided by the codec over an upstream wireless communication link [Gernert, CODEC, col 11 lines 12-42; transceiver, col 7 lines 25-58; col 11 lines 12-42]; and

a receiver connected to the codec that is configured to receive a data stream transmitted over a downstream wireless communication link, which includes encoded real-time video [Gernert, wireless link, col 8 lines 40-48];

However Gernert does not explicitly detail a codec connected to the video input and video output; and

wherein the codec is configured to encode real-time video information received from the video input; and

multiplex the encoded real-time video with other data to generate the data stream provided by the codec to the transmitter; and

the codec is also configured to demultiplex encoded real-time video from the data stream provided to the codec by the receiver; and decode the encoded real-time information and provide the decoded real-time video information to the video output.

In the same endeavor, Knuutila discloses a wireless terminal communicates in a multimedia connection in real-time service including a video codec, encoding /decoding audio information, multiplexer/demultiplexer video-audio in real-time [Knuutila, col 12 lines 25-50]

Therefore it would have been obvious to an ordinary skill in the art at the time the invention was made to incorporate the video/audio code with mux/demux for encode/decode the video and audio information as taught by Knuutila into the Gernert's apparatus in order to utilize the codec-transceiver communication. Doing so would provide the multimedia (audio/video) data over the wireless network.

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5. As per claim 78, Gernertt-Knuutila disclose a head up display connected to the video output and configured to receive real-time video [Gernert, display on the handset., col 14 lines 50-65].

6. As per claim 79, Gernertt-Knuutila disclose a video camera connected to the video input and configured to provide a real-time video output [Gernert, video cameras, col 7 lines 14-24].

7. As per claim 80, Gernertt-Knuutila disclose an audio input configured to receive real-time audio information; an audio output configured to provide real-time audio information [Gernert, real-time phone conversations, col 3 lines 22-37];

wherein the codec is connected to the audio input and the audio output [Gernert, CODEC, col 11 lines 12-42];

wherein the codec is configured to encode real-time audio information received from the audio input [Gernert, CODEC, col 11 lines 12-42];

multiplex encoded real-time video with at least the real time audio encoded by the codec to generate the data stream that is provided to the transmitter [Gernert, multiplexor/demultiplexor, col 8 lines 25-39,49-67; col 9 lines 1-22, 45-54]; and

wherein the codec is configured to demultiplex encoded real-time video from the data stream provided by the receiver that also includes at least encoded real-time audio; decode the encoded real-time audio and provide the decoded real-time audio to

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the audio output [Gernert, multiplexor/demultiplexor, col 8 lines 25-39,49-67; col 9 lines 1-22, 45-54].

8. As per claim 81, Gernertt-Knuutila disclose disclose a headphone set connected to the audio output and configured to receive real-time audio as inherent feature of wireless phone [Gernert, wireless IP phones, col 10 lines 9-43].

9. As per claim 82, Gernertt-Knuutila disclose disclose a microphone connected to the audio input and configured to provide a real-time video output as inherent feature of wireless phone [Gernert, wireless IP phones, col 10 lines 9-43].

10. As per claim 83, Gernertt-Knuutila disclose a user interface input configured to receive information; wherein the codec is connected to the user interface input and is configured to encode the user interface information [Gernert, CODEC, col 11 lines 12-42]; wherein the codec is configured to multiplex encoded real-time video with at least encoded the user interface information to form a data stream that is provided to the transmitter [Gernert, multiplexor/demultiplexor, col 8 lines 25-39,49-67; col 9 lines 1-22, 45-54]; and wherein the encoded user interface information is capable of commanding a remote device [Gernert, encoded analog signal, col 8 lines 25-39].

11. As per claim 84, Gernertt-Knuutila disclose the codec is implemented using at least one electronic device [Gernert, the handset or mobile computer device, abstract].

12. As per claims 85-95 contains the similar limitations set forth of method claims 76-84. Therefore, claim 85-95 are rejected for the similar rationale set forth in claims 76-84.

13. As per claim 96, Gernertt-Knuutila disclose a mobile communication system, comprising:

means for capturing real-time video; means for encoding the captured real-time video; means for forming a data stream including the encoded real-time video; means for transmitting the data stream; means for simultaneously receiving a second data stream including encoded real-time video; means for decoding the encoded real-time video; and means for displaying the decoded real-time video [Knuutila, a wireless terminal with an audio port, video port, a mux/demux, a video code, an audio codec, col 12 lines 25-50; utilizing simultaneously real-time service, col 13 lines 30].

Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Thong Vu, whose telephone number is (571)-272-3904. The examiner can normally be reached on Monday-Thursday from 8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Jack Harvey*, can be reached at (571) 272-3896. The fax number for the organization where this application or proceeding is assigned is 703-872-9306

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval IPAIRI system. Status information for published applications may be obtained from either Private PMR or Public PMR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Thong Vu*  
**Patent Examiner**  
**Art Unit 2142**

